

SOUTH DAKOTA DEPARTMENT OF EDUCATION SPECIAL EDUCATION ADVISORY PANEL MEETING

April 18, 2011
SDSU Alumni Center



Chairperson
Mark Krogstrand

Vice Chairperson
Sarah Carda

Panel Functions

- Advise the SEA of unmet needs within the State in the education of children with disabilities
- Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities
- Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act
- Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act
- Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities
- Review and comment on final due process hearing findings and decisions
- Advise on eligible students with disabilities in adult prisons- The advisory panel also shall advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons

Panel Priorities

- Transition
- Child Find
- Ensuring quality service providers are available to children with disabilities

Minutes
April 18th, 2011

Members Present	Members Absent
Mark Krogstrand	Roger Bowie
Greg Cooch	Todd Christensen
Bernie Grimme	Lori Dennison
Sarah Carda	Michelle Greseth
Laura Johnson-Frame	Heather Stettinichs
Lisa Heckenlaible	Nora Svatos
Greg Riley	Guests
Jim Dunston	John Copenhaver, TAESE
Gail Eichstadt	Department of Education
Kerry Larson	Ann Larsen
Elaine Roberts	Alicia Schoenhard
Sara Hoogheem	Merle Doolittle
Shelly Shaw	
Judy Hoscheid	
Jolie Tostenson	
Marie Ivers	
Jolie Tostenson	

Acronyms used:

SPP: State Performance Plan
 APR: Annual Performance Report
 SEP: State Education Program
 OSEP: Office of Special Education Programs
 SD DOE: South Dakota Department of Education
 TSLP: Transition Services Liaison Project

Opening Remarks

Mark Krogstrand, chairperson, began with welcoming members, reviewing the agenda and the minutes with the panel.

Approval of the Agenda

Action Item - Members to accept agenda for the **April 18th, 2011** Meeting upon

Motion to accept: Jolie Tostenson

Second motion to accept: Jim Dunston

Panel Vote

Yes All Members

No None

Abstain None

Approval of the Minutes

Action Item - Members to accept minutes for the **January 6th, 2011** Meeting.

Motion to accept: Lisa Heckenlaible

Second motion to accept: Greg Cooch

Panel Vote

Yes All Members

No None

Abstain None

Public Comment

Bernie Grimme added information concerning the Transition/VR Conference that will take place October 25-27, 2011 in Sioux Falls.

Gail Eichstadt shared information concerning the Autism Program was eliminated, but with efforts of parents and advocates it will continue. This program is vital to the state, and helps provide information across the state to schools and families.

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Minutes Approved (As Read) (As Amended)

Chairperson _____
Signature _____ Date _____

#

State Application for Funds

Presented by - Ann Larsen

South Dakota Department of Education

Ann presented to the group the 2011 State Application for Federal Funds.

Updates from John

Presented by - John Copenhaver

TAESE

John presented Advisory Panel membership issues according to OSEP guidance 2011:

- Members must be appointed
- Members must be representative of the state population
- Panel must be composed of individuals who are directly involved in special education or who are concerned with the education of children and youth with disabilities.
- Panel must be composed of a representative for:
 - McKinney-Vento Homeless - state and local (Laura will look to see who we could include at the local level)
 - Juvenile and Adult corrections - one from each
 - Private and Charter Schools - one from each
- Nothing prohibits members from serving more than one role on the panel
- 51% Rule - the panel must be composed of parents and/or individuals with disabilities

John also shared information concerning designation of the state 504 coordinator. Ann shared that Deb Barnett was covering that responsibility right now for the DOE. She also shared that there is a current complaint against the state with OCR involving the discrimination against students with disabilities within open enrollment policies of the state. 504 not only encompasses students, but any individual with a disability. 34 CFR 104.7(a) states that there must be a designated employee to coordinate compliance with 504 if there are 15 or more employees (ADA, 50 or more), and this person should handle issues with individuals with disabilities, employment issues, and student issues. Responsibilities of the 504 coordinator also include: a contact for OCR, development of policies and procedures, implementation of grievance procedures, and TA/Training.

Additionally, John discussed Regional and National Hot Topics:

- #1: Economy - ARRA Funds were meant to save and create jobs, create reform, but spending trends show that funds went primarily to professional development and assistive technology.
- #2: Fiscal Accountability - OSEP is actively monitoring SEAs and LEAs on Maintenance of Fiscal Effort
- #3: General Supervision - states are required to implement that all students are provided FAPE in the LRE.
 - 8 Major Areas:
 - SPP, Fiscal Mgmt, Monitoring, Effective Policies/Procedures,

Data, Corrections/Incentives/Sanctions, Dispute Resolution, and TA/PD.

- #4: SPP/APR, each member should be familiar with the state SPP/APR and current data on each indicator and current level of determination. The panel should be involved in the reviewing and commenting on the draft APR, setting targets, and discussing (suggesting) improvement activities.
- #5: Reauthorization of ESEA and IDEA - topics involved may include: RTI from IDEA to ESEA, Dyslexia and Autism Spectrum Disorder may be new categories, SPP/APR, seclusion and restraint, Highly Qualified to Highly Effective, Universal Design, high expectations for all students requires flexibility for students with disabilities.
- #6: Part C - Early Childhood - Impacts the growth of students with disabilities, which impacts educational progress
- #7: Effective Teachers - last authorization = Highly Qualified
- #8: Special Education Admin - 10 state directors resigned during the 2009-2010 year, many @ retirement age

Legislative Update

Presented by -Ann Larsen

South Dakota Department of Education

Ann provided a bill summary from the 2011 Legislative Session.

Special Education Programs Updates

Presented by -Alicia Schoenhard

South Dakota Department of Education

Alicia provided a summary of the SEP updates from the Monthly SPED Director calls since January.

- New Early Childhood code descriptions
 - Decision Tree for coding
 - Preschool LRE changes
- Flowthrough fund application will be available through e-grant system for 2011-2012
- Accommodation trainings were conducted online through LiveMeeting
 - Available on the SEP website: <http://doe.sd.gov/oats/dakSTEP.asp>
- BDI-2 Trainings were held:
 - Data Manager trainings
 - Administration trainings
- Education Summer Conference, July 20-22, Pierre Ramkota
- Behavior Institute, June 28-30, Mitchell, Highland Center
- State RtI Conference, June 15-17, Pierre Ramkota

Brookings Area Special Olympics

Presented by -Suzy Gehring, Jessie Kuechenmeister, Bo Ivers, and Adrian

The Brookings Area SO provides opportunities for athletes ages 8-50 years old. Athletes participate in games regionally through nationals. Athletes from the Brookings area have participated in nationals in the past. The program is open to participation from athletes in nearby cities as well.

CASA

Presented by -Julie Wermers

CASA stands for Court Appointed Special Advocates, which is a volunteer-based organization helping children who have been appointed by a judge in abuse or neglect cases where parents are unwilling or unable to care for their children. The job of the volunteers is to gather information for the judges to help make decisions on abuse/neglect. There are five CASA programs across SD: Brookings, Sioux Falls, Mitchell, Spearfish, and Rapid City. Volunteers are asked to work 10-20 hours/month learning about the child and family and the situation. They typically serve an 18 month commitment to see cases from beginning to end. Between the attorneys and the case workers involved, the CASA volunteers are able to work directly with the children. In many cases the child and their CASA volunteer have built a relationship, and this relationship may carry through even after the cases are closed. 50% of CASA cases involve children with disabilities. CASA volunteers may be appointed by the school as a surrogate for students on IEPs, although there may be an issue with conflict of interest because they wouldn't necessarily be independent.

Social Security and Disability Determination

Presented by -Joanna Fischer

SSDI refers to working individuals with a disability, where SSI refers to children with a disability. In order to be eligible for either an individual must have obtained an injury that causes a disability lasting longer than 12 months, not short term. Applications can now be submitted electronically through www.ssa.gov.

PBIS

Presented by -Rebecca Cain

Behavior issues/concerns continue to be the primary reason why individuals are excluded from school, home, community, recreation, and work. In order to stop and correct in correct behaviors, the proper skills must be taught. Punishment alone is not a solution, it will only lead to dropout and truancy issues as well. PBIS is a multi-tiered, data-driven, schoolwide team approach, which must be consistently implemented in order to be proactive and positive in changing challenging behaviors. The benefits of PBIS include: teaching expected and replacement behaviors, it's customizable, built on the problem-solving model, allows more time for instruction, increases communication and involvement with parents and the community.

Miscellaneous Topics

Jim Dunston submitted his letter of resignation from the panel, due to his retirement from STAR Academy. The panel would like to congratulate Jim on his retirement, and thank him for the years he has participated as a member of the panel. THANK YOU JIM!
Elaine Roberts was awarded the Robert J. Kean Advocacy Award during the Partners in Policy Making meeting. Congratulations Elaine!
Ann shared the Allowable Costs for IDEA document that is now available on the website.

Schedule Upcoming Meeting

- The panel decided to meet in **Pierre, SD** next time. The meeting will occur on **June 20th – 21st, 2011**. Major agenda item to include the OSEP survey for Advisory Panels concerning the upcoming visit to South Dakota.

<i>Adjourn</i>	
Action Item- Adjourn the meeting at 3:36 PM until June 20th, 2011	
Motion to accept:	Jim Dunston (for the final time!) Thanks again Jim!!!
Second motion to accept:	Bernie Grimme
Panel Vote	
Yes	All Members
No	None
Abstain	None

Reminder

Next Meeting: We will meet Pierre at _____ on June 27th, 2010